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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

ALI, MOHAMMAD

ART UNIT	PAPER NUMBER
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2166

DATE MAILED: 01/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/388,261

Applicant(s)

NAGDA ET AL

Examiner

Mohammad Ali

Art Unit

2166

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 March 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3-29-05.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114 was filed in this application after a decision by the Board of Patent Appeals and Interferences, but before the filing of a Notice of Appeal to the Court of Appeals for the Federal Circuit or the commencement of a civil action. Since this application is eligible for continued examination under 37 CFR 1.114 and the fee set forth in 37 CFR 1.17(e) has been timely paid, the appeal has been withdrawn pursuant to 37 CFR 1.114 and prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on 10/05/05 has been entered.

Claims 1-32 are pending in this Office Action.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-32 are rejected under 35 U.S.C. 102(b) as being anticipated by Herz et al. ('Herz' hereinafter), USP, 5,754,939.

Herz renders obvious independent claim 1 by the following:

generating customer a record in a first database table to include fields specifying at least one product, customer preferences (see col. 78, lines 38-48, Herz), and a

selected output method to generated output material on the product specified in the customer record (see col. 78, lines 59-67, Herz);

receiving at least one customer record in the first database to process (see col. 37, lines 40-41, Herz);

accessing at least one content file (Fig. 10, Herz) by querying a second database table (Fig. 16, Herz) using values in one received customer record (see col. 37, lines 44-51, Herz);

generating the content of each accessed file into the output material (Fig. 16, Herz);

determining a selected one of a plurality delivery options from the customer record (see col. 6, lines 10-17, Herz); and

transmitting (Fig. 16, Herz) the output material via the determined delivery option to the customer specified in the customer record (see col. 31, lines 6-17, Herz).

Claims 12 and 22 have same subject matter as of claim 1 and essentially rejected for the same reasons as discussed above.

As to claims 2, 13, and 23, wherein the records in the first database are generated by a human operator interacting with a customer to determine customer and preferences (see col. 37, lines 40-41, Herz).

As to claims 3, 14 and 24, wherein generating the customer records comprises executing a mining program against a database including customer information to determine information to populate at least one customer record from the customer (see col. 70, lines 64-67, Herz).

As to claims 4, 15 and 25, wherein the delivery options are members of the set consisting of: electronic mail (see col. 70, lines 20-24, Herz), facsimail (see col. 64, lines 30-31, Herz), and postal mail (see col. 73, lines 16-17, Herz).

As to claim 5, 16 and 26, automatically transforming the output material to a format compatible,..., wherein the transformed output is transmitted to the customer (see col. 73, lines 16-17, col. 7, lines 20-24, and col. 64, lines 30-31 Herz).

As to claims 6, 17 and 27, multiple customer records are processed, and wherein the output generated from the customer records differs for at least two customers used to transmit the output differs for at least two customers (see col. 73, lines 16-17, col. 7, lines 20-24, and col. 64, lines 30-31 Herz).

As to claim 7, 18, and 28, the output material is automatically transmitted using, after generating the output material,..., address (see col. 46, lines 17-20, Herz).

As to claims 8, 19, and 29, processing a template including queries of records in the second database table (Fig. 16, Herz);

accessing (Fig. 10, Herz) at least one value in a field in one customer record to include in a query against the second database table (see col. 37, lines 44-51, Herz);
and

applying the query against the second database to determine a record associated with a file including fields matching the query, wherein the accessed file is associated with the determined record, and wherein generating the content into the output material comprises generating the content into the template, which forms the output material (see col. 73, lines 30-35, Herz).

As to claims 9, 20, and 30, there are multiple files for each query, wherein the records (see Fig. 16, Herz) associated with the files for each query have different values in at least one field, wherein determining the record comprises determining the record from the files associated with the query that matches the search criteria (see col. 69, lines 3-5, Herz).

As to claims 10, 21, and 31, each query is maintained in a container in the template, wherein the file having the associated record that matches the query (see Fig. 16, Herz) is generated into the container, further comprising resizing the appearance of the file content generated into the containers in the output material (see col. 73, lines 16-17, col. 7, lines 20-24, and col. 64, lines 30-31 Herz).

As to claim 11 and 32, data from the customer record to insert into the text (see Fig. 10, Herz) generated into the container from the accessed file generated into the container (see col. 58, lines 39-40 Herz).

Conclusion

4. Herz et al. (USP, 6,571,279 and 6,029,195) also teaches applicant's claimed invention including delivery options.

Contact Information

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad Ali whose telephone number is (571) 272-4105. The examiner can normally be reached on Monday-Thursday (7:30 am-6:00 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mohammad Ali
Primary Examiner
Art Unit 2166

MA
January 7, 2006